

# SIVE | PAGET | RIESEL

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July 26, 2024

**VIA ECF**

The Honorable Lewis J. Liman  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re: *Chan v. U.S. Dep't of Transp.*, No. 23 Civ. 10365 (S.D.N.Y.) (LJL); *Mulgrew v. U.S. Dep't of Transp.*, No. 24 Civ. 1644 (S.D.N.Y.) (LJL)**

Dear Judge Liman,

We write on behalf of all parties in the above-referenced matters to inform the Court that Plaintiffs have informed Defendants that they intend to move to amend the complaints in both actions to add new claims concerning the reevaluation of the adopted tolling structure that was approved by the Federal Highway Administration on June 14, 2024. Pursuant to the Court's scheduling order dated June 28, 2024, such motions will be filed today, July 26. The parties have conferred with respect to the schedule to follow such motions.

As Defendants have not yet had an opportunity to review the proposed amendments, the parties jointly propose that on or before August 30, 2024, Defendants will either file papers in opposition to the motions to amend, or consent to the proposed motions and either answer or move to dismiss the amended complaints. This date corresponds with the deadline to answer or move with respect to the remaining claim in *New Yorkers Against Congestion Pricing Tax, et al. v. United States Department of Transportation*, No. 24 Civ. 367, and to move to dismiss the complaint in *Trucking Association of New York v. Metropolitan Transportation Authority*, No. 24 Civ. 4111, also before Your Honor. The parties will confer and propose a schedule for additional briefing following the August 30 filings.

Respectfully submitted,

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